

EXHIBIT 28

From: Chris Hicks
Sent: Saturday, April 4, 2020 6:35 PM
To: Mike Taylor; James Erickson
Cc: Walter "Tom" Berrett
Subject: Follow up to formal complaint

Gentlemen,

Gentlemen,

When I sent you both the “formal complaint” email I had truly hoped to get some resolution to my very difficult situation here at KOMAN Construction and that the matter would be quickly resolved. I had and still have no ill intent toward KOMAN Construction or Natives of Kodiak and have, in fact, worked very hard to make KC a leader in this industry. However, it has recently become apparent to me that KOMAN Construction and Natives of Kodiak have no intention of trying to correct the hostile and discriminatory environment I brought to your attention.

I sent you both my formal complaint on March 13th and got no response from either of you. I would have thought that the President of NOK would have at least expressed concern and a desire to know the truth but I heard nothing. Especially since a Native employee complained of discrimination at an Alaskan Native Corporation.

I did hear from an individual named Allyson Thomas, an employee of Alera Connect HR, who explained that she had been assigned to investigate my claim. We spoke several times on the phone and exchanged a few emails. On March 30th she sent me an email explaining that her investigation had concluded and that the “appropriate actions had been taken” but offered little additional information. We have spoken on the phone and exchanged a few additional emails but she essentially concluded our discussions with **“My findings did not provide evidence of a hostile and discriminatory work environment”** on April 1st and suggested that I get counseling through the Employee Assistance Program. I don’t know why I was surprised as I suspect KOMAN Construction and NOK are important clients of Alera. I also know that the investigation was anything but thorough.

Literally the next day, on April 2nd, Tom Berrett called to inform me that he was pulling the largest construction project in my portfolio with KOMAN and was giving the project to John Fawbert. That decision, which was CLEARLY retaliation for my complaint, took away at least 95% of the dollars I currently manage and 2 of the three employees that report to me. Again, I have no ill will toward Tom Berrett or John Fawbert but it is **literally illegal** to retaliate against an employee for complaining about discrimination and a hostile work environment. Why would KOMAN choose to take the Senior Project Manager from Austin, Texas, who is responsible for the Western US, and put him on a project in Panama City, Florida especially since the project is already underway **unless it was meant to punish me for complaining**.

Given that I was ignored by the two employees to which I delivered my formal complaint, and that a biased HR employee came to a pre-determined conclusion in her “investigation”, and that KOMAN and NOK have decided to punish me and retaliate for my complaint I have few available choices. KOMAN has given me no choice but to take the only next steps available to me. Unfortunately, I have been forced to lodge formal complaints with both the EEOC and the OFCCP. It is apparent that KOMAN Construction is taking the steps to try to get rid of me and it is completely unfair. I have worked very hard for several years now to build this organization to what it is today and I will not be railroaded out because I complained about an impossible work environment.

I have not obtained legal counsel at this point and still hope that won’t become necessary. I also still hold out hope that SOMEONE at KOMAN Construction or Natives of Kodiak will make an attempt to correct the situation. I am open to talk to either of you or both of you. You are welcome to call me at any time or I would be happy to call either or both of you

Christopher Hicks
Senior Project Manager



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